

BEFORE THE
DIVISION OF ALLIED HEALTH PROFESSIONS
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition
for Reinstatement of:

ELI STERN, D. S. C.

Petitioner.

NO. D-1342

N-10415

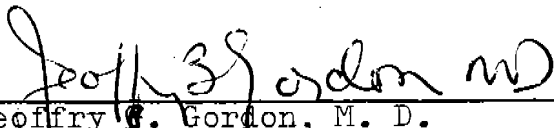
DECISION

The attached Proposed Decision is hereby adopted by
the Division of Allied Health Professions as its Decision in the
above-entitled matter.

The effective date of the Decision shall be the 20th
day of JANUARY, 1978.

It is so ordered this 20th day of JANUARY,
1978.

DIVISION OF ALLIED HEALTH
PROFESSIONS
BOARD OF MEDICAL QUALITY ASSURANCE



Jeffrey S. Gordon, M. D.
President

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BOARD OF MEDICAL QUALITY ASSURANCE
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PROPOSED DECISION

The matter came on regularly for hearing before a quorum of the Podiatry Examining Committee of the Division of Allied Health Professions and Robert R. Coffman, an Administrative Law Judge of the Office of Administrative Hearings, October 28, 1977 in Sacramento, California. Evidence was received and the matter submitted. The Podiatry Examining Committee makes the following proposed decision:

FINDINGS OF FACT

I

Petitioner was licensed to practice podiatry in California in 1961. His license was revoked effective February 19, 1973. The order of revocation was stayed during subsequent court proceedings and was ordered to be in full force and effect as of January 13, 1976. On or about December 19, 1976 Petitioner filed his petition with the Committee seeking reinstatement of his license.

II

Petitioner billed the Medi-Cal program for services he did not perform. The billings occurred during October 1969-February 1970. In March 1971 he was convicted of filing false and fraudulent claims for payment.

III

Petitioner presented evidence that he made restitution

of the amount Medi-Cal claimed was owed them, approximately \$1,200.00.

Since February 1976 Petitioner has been taking courses in Animal Sciences, Biological Sciences and Agriculture at Chico State. He has earned some income by working on the school farm.

DETERMINATION OF ISSUES

Cause has been established to reinstate Petitioner's license conditionally on a probationary basis.

ORDER

Petitioner shall take and pass the written examination of the Podiatry Examining Committee. Upon notification by the Committee of a passing grade in said examination, Petitioner shall submit to a psychiatric examination by a psychiatrist approved in advance by the Division. Upon submission to the Committee of the written report of examination by the psychiatrist and notification by the Committee of its determination that Petitioner is fit to practice as a podiatrist, Petitioner's license shall be restored and Petitioner shall be placed on probation for three (3) years on the following terms and conditions:

1. Petitioner shall comply with all federal, state and local laws and with the rules and regulations governing his activities as a licensed podiatrist.
2. Petitioner shall report in person to the Committee or its designee at least once per year as directed by the Committee or its designee.
3. The entire probation shall be served within the State of California. The probationary period shall be extended by any period spent outside California.
4. Petitioner shall submit to the Committee, at quarterly intervals, an affidavit that he has fully and faithfully complied with all the terms and conditions of probation imposed by this order, to begin ninety (90) days after its effective date.
5. Petitioner shall give an account of himself when visited by any representative of the Division or the Committee, including the Probation Surveillance Officer.
6. Should Petitioner fail to comply with any of the

above terms or conditions, the Division may, after first giving him notice and an opportunity to be heard, terminate probation and revoke said license, or may, in its discretion, otherwise modify this order.

7. On expiration of the three year period of probation without modification of the terms and conditions of probation, the license shall be restored to its full privileges.

Dated: 12-10-77.

PODIATRY EXAMINING COMMITTEE

By Arthur H. Vito DPM,
Chairman P.B.C.